

REGULAR MEETING – TUESDAY, DECEMBER 13, 2011

CITY HALL – 500 CASTRO STREET

4:30 P.M.—STUDY SESSION

6:00 P.M.—CLOSED SESSION

6:30 P.M.—REGULAR SESSION

**4:30 P.M.—STUDY SESSION (HELD IN THE PLAZA CONFERENCE ROOM)**

1. **CALL TO ORDER**
2. **ROLL CALL**—Councilmembers Abe-Koga, Bryant, Inks, Macias, Means, Vice Mayor Kasperzak and Mayor Siegel were present.
3. **STUDY SESSION**

The meeting was called to order at 4:32 p.m. with Mayor Siegel presiding.

**3.1 VOTER SURVEY**

Deputy City Manager Woodhouse presented an oral staff report and he, Charles Hester, Godbe Research Director of Business Development, City Manager Rich and City Attorney Quinn, responded to Council's questions.

**SPEAKING FROM THE FLOOR WITH RECOMMENDATIONS AND EXPRESSING CONCERNS:**

Don Letcher  
Don Bahl  
Joan MacDonald

### **3.2 COMPREHENSIVE ANNUAL FINANCIAL REPORT AND OTHER RELATED REPORTS FOR THE FISCAL YEAR ENDED JUNE 30, 2011**

Director of Finance and Administrative Services Kong presented an oral staff report and she, and Cory A. Biggs, Maze & Associates Chief Executive Officer, responded to Council's questions.

#### **SPEAKING FROM THE FLOOR WITH RECOMMENDATIONS AND EXPRESSING CONCERNS:**

Don Letcher

The Study Session concluded at 5:57 p.m.

#### **6:00 P.M.—CLOSED SESSION (HELD IN THE COMMITTEE ROOM)**

##### **1. CLOSED SESSION ANNOUNCEMENT (OPEN SESSION)**

At 6:05 p.m., an announcement was made by City Attorney Quinn, who described the item that Council would consider on the Closed Session agenda below.

##### **2. CLOSED SESSION**

**2.1 Public Employee Performance Evaluation and Negotiation (§54957)—Titles:**  
City Attorney and City Clerk

**2.2 Conference with Labor Negotiators (§54957.6)—Agency Designated**  
Representative: Assistant City Manager Melissa Stevenson Dile;  
Unrepresented Employees: City Attorney and City Clerk

The Closed Session concluded at 6:17 p.m.

**6:30 P.M.—REGULAR SESSION (HELD IN THE COUNCIL CHAMBERS)**

**1. CALL TO ORDER**

The meeting was called to order at 6:30 p.m., with Mayor Siegel presiding.

**2. PLEDGE OF ALLEGIANCE**

John Igoe, Google Director of Design and Construction, led the Pledge of Allegiance.

**3. ROLL CALL—**Councilmembers Abe-Koga, Bryant, Inks, Macias, Means, Vice Mayor Kasperzak and Mayor Siegel were present.

**4. CONSENT CALENDAR**

The reading of the full text of all ordinances and resolutions on the agenda was waived by unanimous consent of the Council.

Item 4.10 was removed from the Consent Calendar.

**Motion** – M/S Kasperzak/Abe-Koga – Carried 7-0 – To approve the remaining items on the Consent Calendar.

**4.1 APPROVAL OF MINUTES—**Approve minutes for the City Council Special Meeting of November 29, 2011.

**4.2 Ordinance No. 18.11—EICHLER NEIGHBORHOOD REZONING—**Adopt AN ORDINANCE AMENDING THE ZONING MAP FOR 53 PARCELS LOCATED ON EICHLER DRIVE, EICHLER COURT, TROPHY DRIVE AND MIRAMONTE AVENUE FROM R1 (SINGLE-FAMILY RESIDENTIAL) TO R1-h1s (SINGLE-FAMILY RESIDENTIAL, SINGLE-STORY HEIGHT LIMITATION).  
(First Reading: 7-0)

#### **4.3 ACCEPTING CITY OF MOUNTAIN VIEW COMPREHENSIVE ANNUAL FINANCIAL REPORT AND VARIOUS OTHER RELATED REPORTS**

Accept, acknowledge and file the following financial and independent auditors' reports pertaining to Fiscal Year 2010-11:

- City of Mountain View Comprehensive Annual Financial Report and Independent Auditor's Report.
- Single Audit Report.
- Confirmation Report of Appropriations Limit Calculation.
- Bicycle/Pedestrian Projects.
- Memorandum on Internal Control and Required Communications from Independent Auditors.

These reports are not attached as they were distributed to Council with the Study Session report for the Study Session right before tonight's meeting. They are available for public review in the City Clerk's Office, the Library and the City's web site, *www.mountainview.gov*.

**4.4 UNITED PENTECOSTAL CHURCH OF MOUNTAIN VIEW LEASE AMENDMENT** – Authorize the City Manager to amend the lease between the City of Mountain View and United Pentecostal Church of Mountain View (Rock Church) for the property located at 263 Escuela Avenue to:

1. Extend the December 31, 2011 expiration date of the lease to April 30, 2012.
2. Provide for the opportunity of shared use of the facility during the extension term.

#### **4.5 MAYFIELD AND WHITNEY PARKS—CREATE MIDYEAR CIP/APPROPRIATE DEVELOPMENT AGREEMENT FUNDS**

1. Create a midyear CIP titled Mayfield and Whitney Parks Design.
2. Appropriate \$425,000 from the Development Agreement Funds received for 100 Mayfield Avenue to the new Mayfield and Whitney Parks Design project. (Five votes required)

#### **4.6 LANDFILL MICROTURBINE REPLACEMENT, PROJECT 11-41 -- APPROVE PLANS AND SPECIFICATIONS/AUTHORIZE BIDS**

1. Approve plans and specifications for Landfill Microturbine Replacement, Project 11-41, and authorize staff to advertise the project for bids.
2. Authorize the City Manager or his designee to award the construction contract to the lowest responsible bidder if the bid is within the project budget.

#### **4.7 MECHANICAL SYSTEM REPLACEMENT AT EAGLE AND RENGSTORFF POOLS, PROJECT 12-29**

1. Approve plans and specifications for the Mechanical System Replacement at Eagle Pool, Project 12-29, and authorize staff to advertise the project for bids.
2. Authorize the City Manager to award the construction contract to the lowest responsible bidder if the low bid is within the project budget.

#### **4.8 AMENDMENT TO GROUND LEASE FOR CHARLESTON EAST AND RELATED INTEGRATION AGREEMENT—** Authorize City Manager to execute amendments to the two Ground Leases for Charleston East and Related Integration Agreement.

#### 4.9 REAPPOINTMENTS/APPOINTMENTS TO BOARD, COMMISSIONS AND COMMITTEES

1. **Resolution No. 17663**— Adopt A RESOLUTION APPOINTING RANDALL STOCK TO THE LIBRARY BOARD, to be read in title only, further reading waived;
2. **Resolution No. 17664**— Adopt A RESOLUTION REAPPOINTING TODD FERNANDEZ AND M. KATHERINE TRONTELL TO THE ENVIRONMENTAL PLANNING COMMISSION, to be read in title only, further reading waived;
3. **Resolution No. 17665**— Adopt A RESOLUTION APPOINTING HELEN WOLTER TO THE PARKS AND RECREATION COMMISSION, to be read in title only, further reading waived;
4. Approve by motion appointment of Marc Roddin to the Bicycle/Pedestrian Advisory Committee for the term January 1, 2012 to December 31, 2015;
5. Approve by motion reappointment of Ron Manabe to the Downtown Committee for the term January 1, 2012 to December 31, 2014;
6. Approve by motion reappointment of Roger Petersen and Linda Rosen and appointment of Nora Gonzalez de Beltran to the Senior Advisory Committee for the term January 1, 2012 to December 31, 2015; and
7. Approve by motion reappointment of Dina Cheyette and appointment of Janis Zinn to the Visual Arts Committee for the term January 1, 2012 to December 31, 2015.

Confirmation of the appointment of the neighborhood association's representative to the Downtown Committee for the term January 1, 2012 to December 31, 2012, as recommended by the Old Mountain View Neighborhood Association, will be considered at the January 10, 2012 Council meeting.

#### **4.10 AUTHORIZATION TO ENTER INTO REIMBURSEMENT AGREEMENT WITH GOOGLE INC.**

Community Development Director Tsuda responded to Council's questions.

**Motion** – M/S Kasperzak/Abe-Koga – Carried 6-1; Mayor Siegel no - To:

1. Authorize the City Manager to execute a multi-year Reimbursement Agreement (Agreement) with Google Inc. (Google);
2. Authorize the addition of 1.0 Full-Time Equivalent (FTE) limited-term Senior Planner position for the Community Development Department and 0.5 FTE limited-term Senior Civil Engineer position for the Public Works Department;
3. **Resolution No. 17666**—Adopt A RESOLUTION AUTHORIZING THE CITY MANAGER TO INCREASE APPROPRIATIONS FOR THE GOOGLE INC. REIMBURSEMENT AGREEMENT IN AN AMOUNT COMMENSURATE WITH ANY ADDITIONAL ANNUAL FUNDING RECEIVED FROM GOOGLE INC. PURSUANT TO THIS AGREEMENT, to be read in title only, further reading waived; and
4. Appropriate up to \$225,000 received from Google pursuant to a Reimbursement Agreement related to City services for Google Planning Applications. (Five votes required).
5. **PUBLIC HEARINGS**—None.
6. **ORAL COMMUNICATIONS FROM THE PUBLIC ON NONAGENDIZED ITEMS**

Don Letcher expressed concerns that the City voters are losing control over the City and stated that the City Council should set policy and the City Manager should run the City. Mr. Letcher also expressed concerns with special zoning and fast tracking of permits. Mr. Letcher also expressed concerns with the budget, and suggested that the proposed second tier FY 2011/12 budget cuts be enacted now.

## **7. NEW BUSINESS**

### **7.1 REQUEST FOR PROPOSAL – RECYCLABLE MATERIALS, ORGANICS MATERIALS AND SOLID WASTE COLLECTION SERVICES**

Solid Waste Program Manager Topley presented an oral staff report and responded to Council's questions.

#### **SPEAKING FROM THE FLOOR WITH RECOMMENDATIONS:**

Emily Hanson, Zero Waste Energy Development Company

**Motion** – M/S Kasperzak/Inks – Carried 6-1; Councilmember Bryant no – To:

1. Approve the Draft Request for Proposal to be provided to Recology Mountain View (Recology) for Recyclable Materials, Organics Materials and Solid Waste Collection and Organics Processing Services; and 2. Authorize the City Manager to extend the time period granting Recology Mountain View the exclusive right to negotiate a new collection services agreement, from January 31, 2012 to April 30, 2012.

### **7.2 Resolution No. 17667 – SUSTAINABLE COMMUNITIES STRATEGY AND PRIORITY DEVELOPMENT AREAS**

Principal Planner Alkire presented an oral staff report and he, and Director of Community Development Tsuda, responded to Council's questions.

**Motion** – M/S Inks/Bryant – Carried 5-2; Councilmember Macias, Mayor Siegel no – To adopt A RESOLUTION AUTHORIZING THE CITY OF MOUNTAIN VIEW'S APPLICATION FOR GROWTH OPPORTUNITY AREAS TO BE CONSIDERED PRIORITY DEVELOPMENT AREAS UNDER THE SUSTAINABLE COMMUNITIES STRATEGY PROCESS, to be read in title only, further reading waived.

### **7.3 GATEKEEPER REQUESTS**

Councilmember Inks recused himself from acting on Items 7.3(1) and 7.3(5).

Zoning Administrator Gilli presented an oral staff report and he, Community Development Director Tsuda, City Attorney Quinn and City Manager Rich, responded to Council's questions.



**SPEAKING FROM THE FLOOR RESPONDING TO COUNCIL'S QUESTIONS  
WITH PROJECT NO. 3:**

Robert Lee, William Hezmalhalch Architects Inc. Senior Principal of  
Community Planning

**Motion** – M/S Kasperzak/Inks – Carried 7-0 – To: 1. Authorize the assignment of staff resources for consideration of a rezoning to allow an apartment project with a density of up to 65 units per acre at 865 and 881 El Camino Real East, and possibly the corner lot next to it if the property owner is able to acquire the property; and 2. Authorize the revision to a previously authorized Gatekeeper to include the properties at 100 and 190 Moffett Boulevard and 178 and 190 Stierlin Road for a residential development.

**Motion** – M/S Kasperzak/Inks – Carried 5-2; Councilmember Macias, Mayor Siegel no - To Authorize the assignment of staff resources for consideration of a rezoning and General Plan Amendment to allow a mixed-use development with a density of up to 17 units per acre at 248 East Middlefield Road.

**SPEAKING FROM THE FLOOR EXPRESSING CONCERNS WITH PROJECT NO. 5:**

Marty Chiechi, Real Estate Broker. Mr. Chiechi also responded to Council's questions and provided project information.

Vincent Volente

Vernon Simon, Simon Printing. Mr. Simon also responded to Council's questions

Steve Davies

Joseph Balivelle

Yuri Freeland, Freeland Foods

John Inks

**SPEAKING FROM THE FLOOR EXPRESSING CONCERNS:**

Christine Bush

Joan MacDonald

SPEAKING FROM THE FLOOR EXPRESSING CONCERNS WITH PROJECT NO. 1:

Don Bahl

Steve Rasmussen, Milk Pail Market

SPEAKING FROM THE FLOOR RESPONDING TO COUNCIL'S QUESTIONS ON PROJECT No. 1

Mike Grehl, Merlone Geier Partners Vice President

**Motion** – M/S Abe-Koga/Macias – Carried 5-1-1; Councilmember Means no; Councilmember Inks recused – To send the Mora-Ortega Precise Plan to the Environmental Planning Commission for a noticed public hearing to consider and make a recommendation to Council on whether or not to extend the amortization period.

**Motion** – M/S Kasperzak/Means – Failed 3-3-1; Councilmembers Abe-Koga, Bryant, Mayor Seigel no; Councilmember Inks recused – To authorize the assignment of staff resources for consideration of a Precise Plan Amendment to allow a mixed-use development at 405 and 423 San Antonio Road.

**Motion** – M/S Abe-Koga/Siegel – Failed 2-4-1; Councilmembers Bryant, Macias, Means, Vice Mayor Kasperzak no; Councilmember Inks recused - To authorize the assignment of staff resources for consideration of a Precise Plan Amendment to allow a mixed-use development at 405 and 423 San Antonio Road with no residential.

**Motion** – M/S Bryant/Macias – Carried 4-2-1; Councilmembers Abe-Koga, Means no; Councilmember Inks recused - To authorize the assignment of staff resources for consideration of a Precise Plan Amendment to allow a mixed-use development at 405 and 423 San Antonio Road, with the focus of development on revenue-generated uses, such as entertainment, retail, hotel, office, and a limited amount of residential.

**8. COUNCIL, STAFF/COMMITTEE REPORTS**

Councilmembers expressed appreciation to Mayor Siegel for his service as Mayor over the past year.

Councilmember Abe-Koga presented information regarding the Valley Transit Authority's (VTA) meeting on Thursday. Councilmember Abe-Koga also stated that the VTA Board appointed Rob Fabela as General Counsel, and that she was reappointed to the Board for two years as the North/West City Group representative.

Councilmember Abe-Koga also reported that she attended the VTA El Camino Bus Rapid Transit (BRT) Policy Advisory meeting on Friday.

Councilmember Inks presented information on his attendance at the Moffett Field Restoration Advisory Board Hangar Subcommittee meeting.

Councilmember Macias reported on her attendance at the Santa Clara County Cities Association Holiday Meeting on December 15<sup>th</sup>, as well as the VTA El Camino Real BRT Policy Advisory meeting.

Councilmember Macias also reported on her attendance at the American Leadership Forum today regarding the Power of Connection.

Councilmember Abe-Koga presented information regarding the Mountain View Police and Fire Departments' Toy Drive.

**9. CLOSED SESSION REPORT – None.**


10. **ADJOURNMENT**

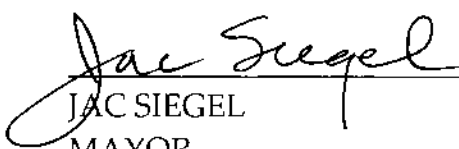
At 10:15 p.m., Council adjourned to the next Special Council Meeting to be held on Tuesday, January 3, 2012, at 6:30 p.m. in the Council Chambers, 500 Castro Street.

10A. Resolutions enacted at this meeting are on file in the Office of the City Clerk.

ATTEST:

APPROVED:

  
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LORRIE BREWER, MMC  
CITY CLERK

  
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JAC SIEGEL  
MAYOR